

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

J.Y.C.C., et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No.: 4:15-cv-01704-RWS
)	(Consolidated)
DOE RUN RESOURCES CORPORATION,)	
et al.,)	
)	
Defendants.)	

AGREED MOTION TO CONSOLIDATE

COME NOW all Parties, by and through their respective undersigned counsel, and pursuant to E.D.Mo. L.R. 42-4.03, jointly move for consolidation of three (3) other related actions pending before the Court with the instant case. In support of their Motion, the Parties state as follows:

1. Plaintiffs, through their Next Friend Father Christopher Collins (collectively “the Collins Plaintiffs”), initially moved to consolidate their four pending cases (Case Nos. 4:15-cv-01704, 4:16-cv-00059, 4:16-cv-00060, and 4:16-00061) with twenty-four (24) consolidated cases styled *A.O.A., et al. v. Doe Run Resources Corp., et al.*, Case No. 4:11-cv-00044-CDP (the “Reid cases”). *See* Doc. 42-1. Plaintiffs’ original motion to consolidate their four cases with the Reid cases was denied by Judge Perry. *See* Doc. 46.

2. Defendants subsequently moved for consolidation of the four Collins cases before this Court. *See* Doc. 49. The Collins Plaintiffs had no objection to such consolidation, *see* Doc. 52 at 3, and this Court granted Defendants’ motion for pretrial purposes only. *See* Doc. 53.

3. The Parties subsequently consented to the case of *J.J.L.L., et al. v. Doe Run Resources Corp., et al.*, Case No. 4:16-cv-00634-JAR being consolidated with the original four

Collins cases. *See* Doc. 54 at 3. The Court granted that consolidation request in Case Management Order 2. *See* Doc. 56. For purposes of the record, the Parties stipulate that their joint proposal in Doc. 56 and their joint request at the status conference held on May 16, 2016 that Case No. 4:16-cv-00634-JAR be consolidated with 4:15-cv-01704-RWS and the three previously-consolidated cases was properly construed by the Court as a joint motion for consolidation with Case No. 4:16-cv-00634-JAR, but further that Defendants consented to consolidation for pretrial purposes only.

4. Since the time those Orders of consolidation were entered, Defendants have removed three additional cases to this Court, which have been randomly assigned to other judges. The Collins plaintiffs likewise agree that those three cases, Case Nos. 4:16-cv-749-AGF, 4:16-cv-822-AGF, and 4:16-cv-829-RLW should be consolidated with the previously consolidated cases, but Defendants limit their consent to consolidation for pretrial purposes only.

5. Accordingly, pursuant to Local Rule 42-4.403, the Collins plaintiffs request that the related Collins cases, namely Case Nos. Case Nos. 4:16-cv-749-AGF, 4:16-cv-822-AGF, and 4:16-cv-829-RLW, be consolidated with this Action, and Defendants further request that this consolidation be limited to purposes of scheduling and pretrial case management only.

6. Pursuant to E.D.Mo. L.R. 42-4.03, the parties will file in each of the related Collins cases a notice of this motion to which a copy of this motion will be attached.

Dated: July 27, 2016

DOWD BENNETT LLP

By: /s/ Edward L. Dowd, Jr. (w/permission)

Edward L. Dowd, Jr. #28785MO
edowd@dowdbennett.com
Terrence J. O'Toole, #23247MO
tjotoole@dowdbennett.com
James E. Crowe, III, #50031MO
jcrowe@dowdbennett.com
Carlos Marin, #66060MO
cmarin@dowdbennett.com
7733 Forsyth Blvd., Suite 1900
St. Louis, Missouri 63105
(314) 889-7300 (telephone)
(314) 863-2111 (facsimile)

*Attorneys for Defendants
The Renco Group, Inc.,
DR Acquisition Corp.,
Renco Holdings, Inc., and Ira L. Rennert*

Respectfully submitted,

LEWIS RICE LLC

By: /s/ Andrew Rothschild

Andrew Rothschild, #23145MO
arothschild@lewisrice.com
Richard A. Ahrens, #24757MO
rahrens@lewisrice.com
Thomas P. Berra, Jr., #43399MO
tberra@lewisrice.com
Michael J. Hickey, #47136MO
mhickey@lewisrice.com
600 Washington Ave., Suite 2500
St. Louis, MO 63102-2147
Telephone: (314) 444-7600
Facsimile: (314) 241-6056

*Attorneys for Defendants The Doe Run
Resources Corporation, Marvin K. Kaiser,
Jeffery L. Zelms, Jerry Pyatt, and
Theodore P. Fox, III*

NAPOLI SHKOLNIK PLLC

By: /s/ Hunter Shkolnik (w/ permission)
Hunter Shkolnik, #2031458NY
Paul J. Napoli, #251314NY
Robert Gitelman, #427174NY
1301 Avenue of the Americas, Tenth Floor
New York, NY, 10019
(212) 397-1000
hunter@napolilaw.com
pnapoli@napolilaw.com
rgitelman@napolilaw.com

GORI, JULIAN & ASSOC., P.C.

By: /s/ D. Todd Matthews (w/ permission)
D. Todd Matthews, MO Bar 52502
Randy L. Gori, MO Bar 47619
156 N. Main St.
Edwardsville, IL 62025
(618) 659-9833
todd@gorijulianlaw.com
randy@gorijulianlaw.com

RODRIGUEZ TRAMONT + NUÑEZ, P.A.

By: /s/ Frank R. Rodriguez (w/ permission)
Frank R. Rodriguez, #348988FL
Paulino A. Nuñez, #814806FL
255 Alhambra Cir., Suite 1150
Coral Gables, FL 33134
(305) 350-2300
frr@rtgn-law.com
pan@rtgn-law.com

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 27th day of July, 2016, a true and correct copy of the foregoing was filed with the Court using the CM/ECF system and service upon all participants in the case who are CM/ECF users will be accomplished by operation of that system.

/s/ Andrew Rothschild